



IFW Receipt

PATENT  
ATTORNEY DOCKET NO. 50304/010002

Certificate of Mailing: Date of Deposit: August 9, 2006

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Christine E. Fort

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank LUYTEN et al.

Confirmation No.: 2155

Serial No.: 10/595,072

Art Unit: 1614

371 (c) Date: May 9, 2006

Examiner: Not Yet Assigned

Customer No.: 21559

Title: USE OF CXCL6 CHEMOKINE IN THE PREVENTION OR REPAIR OF  
CARTILAGE DEFECTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO CORRECT FILING RECEIPT

Applicant requests that the enclosed filing receipt be corrected as follows.

In the "**Applicant(s)**" section, please make the following change:

For the second and third inventors' addresses, please replace "Bromley, UNITED KINGDOM" with "Bromley, Kent, UNITED KINGDOM."

In the "**Title**" section, please make the following change:

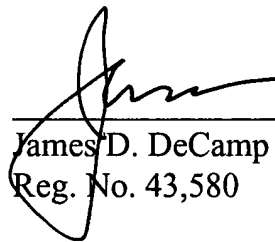
Replace "Use of cxcl6 chemokine in the prevention or repair cartilage defects" with "Use of cxcl6 chemokine in the prevention or repair of cartilage defects"

Enclosed are copies of the incorrect filing receipt showing the correction to be made. A copy of the Application Data Sheet as filed showing the correct title is also enclosed.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 9-AUGUST-2006



James D. DeCamp  
Reg. No. 43,580

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
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AUG 03 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/595,072	05/09/2006	1614	800	50304/010002	2	31	1

21559  
 CLARK & ELBING LLP  
 101 FEDERAL STREET  
 BOSTON, MA 02110



CONFIRMATION NO. 2155

FILING RECEIPT



\*OC000000019751883\*

Date Mailed: 07/28/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Frank Luyten, Kraainem, BELGIUM;  
 Cosimo De Bari, ~~Bromley, UNITED KINGDOM;~~ **Bromley, Kent, UNITED KINGDOM;**  
 Francesco Dell'Accio, ~~Bromley, UNITED KINGDOM;~~ **Bromley, Kent, UNITED KINGDOM;**

**Power of Attorney:** The patent practitioners associated with Customer Number 21559.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/BE04/00117 08/12/2004  
 which claims benefit of 60/494,516 08/12/2003

**Foreign Applications**

If Required, Foreign Filing License Granted: 07/25/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/595,072**

**Projected Publication Date:** 11/02/2006

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

## of Use of cxcl6 chemokine in the prevention or repair of cartilage defects

### Preliminary Class

514

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Application Data Sheet 37 CFR 1.76</b>		<b>Attorney Docket Number</b>	50304/010002
		<b>Application Number</b>	
<b>Title of Invention</b>	USE OF CXCL6 CHEMOKINE IN THE PREVENTION OR REPAIR OF CARTILAGE DEFECTS		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

**Secrecy Order 37 CFR 5.2**

- ☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2. (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

**Applicant Information:**

<b>Applicant 1</b>				
<b>Applicant Authority</b> <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117		<input type="radio"/> Party of Interest under 35 U.S.C. 118
<b>Prefix</b>	<b>Given Name</b>	<b>Middle Name</b>	<b>Family Name</b>	<b>Suffix</b>
	Frank		LUYTEN	
<b>Residence Information (Select One)</b> <input type="radio"/> US Residency <input checked="" type="radio"/> Non US Residency <input type="radio"/> Active US Military Service				
<b>City</b>	Kraainem		<b>Country Of Residence</b>	Belgium
<b>Citizenship under 37 CFR 1.41(b)</b>		Belgium		
<b>Mailing Address of Applicant:</b>				
<b>Address 1</b>	Baron d'Huartlaan 193			
<b>Address 2</b>				
<b>City</b>	Kraainem		<b>State/Province</b>	
<b>Postal Code</b>	B-1950		<b>Country</b>	Belgium
<b>Applicant 2</b>				
<b>Applicant Authority</b> <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117		<input type="radio"/> Party of Interest under 35 U.S.C. 118
<b>Prefix</b>	<b>Given Name</b>	<b>Middle Name</b>	<b>Family Name</b>	<b>Suffix</b>
	Cosimo		DE BARI	
<b>Residence Information (Select One)</b> <input type="radio"/> US Residency <input checked="" type="radio"/> Non US Residency <input type="radio"/> Active US Military Service				
<b>City</b>	Bromley, Kent		<b>Country Of Residence</b>	United Kingdom
<b>Citizenship under 37 CFR 1.41(b)</b>		Italy		
<b>Mailing Address of Applicant:</b>				
<b>Address 1</b>	18 Ethelbert Close			
<b>Address 2</b>				
<b>City</b>	Bromley, Kent		<b>State/Province</b>	
<b>Postal Code</b>	BR1 1JB		<b>Country</b>	United Kingdom
<b>Applicant 3</b>				
<b>Applicant Authority</b> <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117		<input type="radio"/> Party of Interest under 35 U.S.C. 118
<b>Prefix</b>	<b>Given Name</b>	<b>Middle Name</b>	<b>Family Name</b>	<b>Suffix</b>
	Francesco		DELL'ACCIO	
<b>Residence Information (Select One)</b> <input type="radio"/> US Residency <input checked="" type="radio"/> Non US Residency <input type="radio"/> Active US Military Service				
<b>City</b>	Bromley, Kent		<b>Country Of Residence</b>	United Kingdom



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<b>Application Data Sheet 37 CFR 1.76</b>		<b>Attorney Docket Number</b>	50304/010002
		<b>Application Number</b>	
<b>Title of Invention</b>	USE OF CXCL6 CHEMOKINE IN THE PREVENTION OR REPAIR OF CARTILAGE DEFECTS		

<b>Citizenship under 37 CFR 1.41(b)</b>		Italy	
<b>Mailing Address of Applicant:</b>			
<b>Address 1</b>	150 Farnaby Road		
<b>Address 2</b>			
<b>City</b>	Bromley, Kent	<b>State/Province</b>	
<b>Postal Code</b>	BR2 0BB	<b>Country</b>	United Kingdom
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the <b>Add</b> button.			

### Correspondence Information:

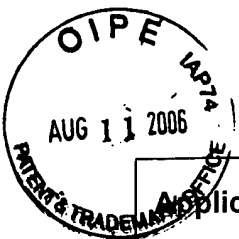
Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).			
<input type="checkbox"/> An Address is being provided for the correspondence information of this application.			
<b>Customer Number</b>	21559		
<b>Email Address</b>	patentadministrator@clarkelbing.com	<input type="button" value="Add Email"/>	<input type="button" value="Remove Email"/>

### Application Information:

<b>Title of the Invention</b>	USE OF CXCL6 CHEMOKINE IN THE PREVENTION OR REPAIR OF CARTILAGE DEFECTS		
<b>Attorney Docket Number</b>	50304/010002	<b>Small Entity Status Claimed</b>	<input checked="" type="checkbox"/>
<b>Application Type</b>	Nonprovisional		
<b>Subject Matter</b>	Utility		
<b>Suggested Class (if any)</b>		<b>Sub Class (if any)</b>	
<b>Suggested Technology Center (if any)</b>			
<b>Total Number of Drawing Sheets (if any)</b>	2	<b>Suggested Figure for Publication (if any)</b>	1
<b>Publication Information:</b>			
<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)			
<input type="checkbox"/> Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not been and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.			

### Representative Information:



Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.			
<b>Please Select One:</b>	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> US Representative (37 CFR 11.9)



<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number 50304/010002	
		Application Number	
Title of Invention	USE OF CXCL6 CHEMOKINE IN THE PREVENTION OR REPAIR OF CARTILAGE DEFECTS		
Customer Number	21559		

### Domestic Priority Information:


This section allows for the applicant to claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c). Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

Prior Application Status	Pending		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	a 371 of international	PCTBE0400117	2004-08-12
Prior Application Status			
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
PCT/BE04/00117	non provisional of	60494516	2003-08-12

Additional Domestic Priority Data may be generated within this form by selecting the **Add** button.

### Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

			
Application Number	Country	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			<input checked="" type="radio"/> Yes <input type="radio"/> No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

### Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.

**Assignee 1**

If the Assignee is an Organization check here. ☐

Prefix	Given Name	Middle Name	Family Name	Suffix

**Mailing Address Information:**

Address 1			
Address 2			
City		State/Province	
Country		Postal Code	
Phone Number		Fax Number	
Email Address			





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<b>Application Data Sheet 37 CFR 1.76</b>		Attorney Docket Number	50304/010002
		Application Number	
Title of Invention	USE OF CXCL6 CHEMOKINE IN THE PREVENTION OR REPAIR OF CARTILAGE DEFECTS		

Additional Assignee Data may be generated within this form by selecting the **Add** button.

**Signature:**

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.					
Signature	/jdd/			Date (YYYY-MM-DD)	2006-01-30
First Name	James	Last Name	DeCamp	Registration Number	43,580

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.